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**Pro hac vice application forthcoming*

*Attorneys for Defendant
MGM Resorts International*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

EMILY KIRWAN, individually and on behalf
of all others similarly situated,

Plaintiff,

v.

MGM RESORTS INTERNATIONAL,

Defendant.

Case No. 2:23-cv-1481-RFB-DJA

**STIPULATION TO EXTEND TIME
TO FILE DEFENDANT'S
RESPONSE TO COMPLAINT
(FOURTH REQUEST)**

Pursuant to LR IA 6-1, Plaintiff Emily Kirwan and Defendant MGM Resorts International (“MGM”) (collectively, the “Parties”) respectfully stipulate MGM’s time to respond to the Complaint be extended from the current deadline of March 11, 2024 to and including April 10, 2024. This is the fourth stipulation for an extension of time to file MGM’s responsive pleading. The Court previously granted an extension on January 10, 2024. ECF No. 21.

Good cause exists to enlarge the time for MGM to respond to the Complaint. There are currently thirteen other related actions filed against MGM pending in this District (the “Related Actions”). *See Lackey v. MGM Resorts Int’l*, No. 2:23-cv-01549; *Zussman v. VICI Properties I LLC, et al.*, No. 2:23-cv-01537; *Terezo v. MGM Resorts Int’l*, No. 2:23-cv-01577; *Pircio v. MGM Resorts Int’l*, No. 2:23-cv-01550; *Owens v. MGM Resorts Int’l*, No. 2:23-cv-01480; *Rundell v. MGM Resorts Int’l*, No. 2:23-cv-01698; *Bezack v. MGM Resorts Int’l*, No. 2:23-cv-01719; *Albrigo v. MGM Resorts Int’l*, No. 2:23-cv-1981; *Zari v. MGM Resorts Int’l*, No. 2:23-cv-01777; *Manson v. MGM Resorts Int’l*, No. 2:23-cv-01826; *Sloan v. Vici Properties Inc., et al.*, No. 2:23-cv-02042; *Righetti v. MGM Resorts Int’l*, No. 2:23-cv-2064; *Mejia v. MGM Resorts, Int’l*, No. 2:23-cv-00081.

On December 6 and December 20, 2023, plaintiffs’ counsel in six consolidated putative class actions brought against MGM by individuals who allege their PII was compromised as a result of a cybersecurity incident involving MGM in 2019 (the “2019 Actions”) filed Notices of Related Cases Pursuant to District of Nevada Local Rule 42.1, notifying the Court that the Related Actions are related to the 2019 Actions. *In re: MGM Resorts Int’l Data Breach Litig.*, No. 2:20-CV-00376-GMN-NJK, ECF Nos. 186, 188. Plaintiffs in this action have opposed this effort because the 2019 Actions involved a different threat actor and different data. No order has issued on the notices filed by the plaintiffs in the 2019 Actions, and MGM has not responded to any other Complaint in the Related Actions.

The parties in the Related Actions are discussing this development in addition to the consolidation of the Related Actions. The parties in the Related Actions have also engaged

1 in preliminary information exchange that may avoid the need for certain motion practice,
2 which would conserve judicial resources. As such, additional time is required to permit time
3 to meet and confer with the various parties to the Related Actions.

4 The Parties' request is made in good faith to enable the parties to finalize the joint
5 motion for consolidation and conserve judicial and party resources. Moreover, this case is
6 in its infancy, and this request will not prejudice any party.

7 **WHEREAS** the Parties respectfully request that MGM shall have until April 10,
8 2024, to answer, move, or otherwise respond to the Complaint.

9 Dated: March 7, 2024

Respectfully submitted,

10 By: /s/ Jeff Ostrow
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MGM Resorts International

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 EMILY KIRWAN, individually and on behalf
4 of all others similarly situated,

5 Plaintiff,

6 v.

7 MGM RESORTS INTERNATIONAL,

8 Defendant.

Case No. 2:23-cv-1481-RFB-DJA

**[PROPOSED] ORDER GRANTING
STIPULATION TO EXTEND TIME
TO FILE DEFENDANT'S
RESPONSE TO COMPLAINT**

9
10 Upon consideration of the foregoing stipulation to extend Defendant MGM Resorts
11 International's time to file response to Plaintiff's Complaint in the above-captioned action,
12 it is hereby **ORDERED** that the Stipulation is **GRANTED**, and the time for MGM Resorts
13 International to answer, move, or otherwise respond to Plaintiff's Complaint is hereby
14 extended to and including April 10, 2024.

15
16 **IT IS SO ORDERED:**

17
18 _____
THE HONORABLE DANIEL J. ALBREGTS
UNITED STATES MAGISTRATE JUDGE

19
20 DATED: _____